

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - N/S Schotts Lane, * ZONING COMMISSIONER
1,050' N of Cape May Road * OF BALTIMORE COUNTY
(400 Schotts Lane) * Case No. 96-404-SPHA
15th Election District *
5th Councilmanic District *
Jeffrey W. Niemyer *
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 400 Schotts Lane, located in the vicinity of Back River Neck Road in Essex. The Petitions were filed by the owner of the property, Jeffrey W. Niemyer. The Petitioner seeks approval, pursuant to the Petition for Special Hearing, of a boat yard accessory to a residence as a nonconforming use, and variance relief from Section 415.A.3.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 15 boats to be stored in the yard in lieu of the maximum allowed 3 boats. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing held for this case was Jeffrey W. Niemyer, legal owner of the property, his mother, Elizabeth J. Niemyer, and Buck Jones, a neighbor. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property was part of a larger tract of land which was recently subdivided. The property is an irregular shaped lot located between Vogts Lane and Schotts Lane in eastern Baltimore County, with frontage on Norman Creek, a tributary of the Middle River. Lot 1, which is the subject of this request,

ORDER RECEIVED FOR FILING
Date 7/12/96
By [Signature]

MICROFILMED

consists of a gross area of 1.75 acres, more or less, zoned D.R. 3.5 and is improved with a two-story dwelling which overlooks Norman Creek, and a number of outbuildings. Lot 2, which consists of 1.32 acres in area, was sold to the aforementioned Buck Jones, who recently constructed a two-story dwelling on his lot. A small parcel of land, not contained within the original tract but surrounded by same, is shown on the site plan as being owned by Elizabeth J. Niemyer. That small parcel is apparently unimproved.

Mr. Niemyer testified that he acquired the property from his parents approximately 8 years ago and that the property has been in his family for over 100 years. The property features two piers which extend from the bulkhead into Norman Creek. Mr. Niemyer described one of the piers as being 90 feet long, and the second, approximately 60 feet. He indicated that as a service to his neighbors, he allows boats to be stored to the rear of his lot in the winter time. He testified that normally, 12 to 13 boats are stored over the winter, but they are nearly all removed in the summer, during which time maybe 1 or 2 boats may remain on the site. Mr. Niemyer testified that he did not charge a rental or storage fee, did not sell boats from the property, and merely offered his site for storage as a convenience to his neighbors. He also indicated that this practice was originally instituted by his father, and that the property has been so utilized for many years.

This matter is under consideration by this Zoning Commissioner on two Petitions. The first seeks a variance from Section 415.A.3.A, which allows as a matter of right, out of water boat storage on residential waterfront lots. For lots with a dimension of over 75-feet at the water-side lot line, a maximum of 3 boats, or 2 boats and 1 recreational vehicle can be stored on the property. The Petitioner seeks a variance from this

standard to store up to 15 boats on his property. Clearly, his request is significant. The Petitioner seeks approval to store five times the number of boats permitted on his property.

Variance relief is governed by Section 307 of the B.C.Z.R. Moreover, the Court of Special Appeals in Cromwell v. Ward, 102 Md. App. 691 (1995), recently considered the variance statute in Baltimore County. In a comprehensive opinion, the Court stated that the Petitioner must establish that the property in question is unique before variance relief can be obtained. After a finding of uniqueness, the Petitioner must also demonstrate that a practical difficulty would be suffered by the property owner if strict adherence to the regulations were required. Moreover, it must be shown that there would be no detrimental impact to the surrounding properties if the variance were granted.

In this case, the Petitioner has failed in satisfying his burden of proof. No competent testimony was offered to support that this property is unique or that such a wide deviation from the standard is justified. To the contrary, Mr. Niemyer's credibility and testimony is questionable. Specifically, I conducted a site visit to the property on July 16, 1996. On this date, which is during the height of the season, I observed approximately 8 boats being stored on the property, four times the number which the Petitioner testified are usually present during the summer months. Moreover, a number of buildings were on the property, none of which were shown on the site plan. Turning to the Petition for Special Hearing, relief is requested to approve the boat yard as a nonconforming use accessory to the residence located on the property. The property is zoned D.R. 3.5 and under that zoning classification, a boat yard is permitted by special exception, only. The Petitioner wishes to bypass obtaining relief

ORDER RECEIVED FOR FILING

Date

By

ENCLOSURE

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 17, 1996

Mr. Jeffrey W. Niemyer
400 Schotts Road
Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S Schotts Lane, 1,050' N of Cape May Road
(400 Schotts Lane)
15th Election District - 5th Councilmanic District
Jeffrey W. Niemyer - Petitioner
Case No. 96-404-SPHA

Dear Mr. Niemyer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel

~~File~~

MICROFILMED





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

96-404-SPHA

400 SCHOTTS LANE

which is presently zoned DR.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

To approve a non-conforming use for a boat yard accessory to a residence.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

JEFFERY W. NIEMYER

(Type or Print Name)

Signature

(Type or Print Name)

Signature

400 SCHOTTS LANE 686-2587

Address

Phone No.

BALT

MD.

21221

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

4/15/96



MICROFILMED

Zoning Administration

Development Management

374 399

CRITICAL



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 400 Schott's Rd. Balto MD. 21221
which is presently zoned DR 3.5

96-404-SPHA

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

BCZR SEC. 415A.3.A *gk*

To allow 15 boats to be stored on the yard in lieu of the maximum allowed 3 *gk* boats.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Petitioner has been storing boats during the off season on his property for over 50 years. Most of the boats belong to neighborhood people who ~~lived~~ have limited room on their property. This area of this property is relatively remote to other properties due to the location of homes on surrounding properties.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Jeffrey W. Niemeyer
(Type or Print Name)

Jeffrey W. Niemeyer
Signature

(Type or Print Name)

Signature

400 Schott's Rd. 686-2587
Address Phone No.

Balto. MD. 21221
City State Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: *gk* DATE *4/15/96*

ORDER RECEIVED FOR FILING
Date *4/17/96*
By *gk*

Printed with Soybean Ink on Recycled Paper



~~374~~ 399

EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

96-404-SQHA

ZONING DESCRIPTION FOR 400 ~~411~~ Schotts Lane
(address)

Beginning at a point on the North side of
(north, south, east or west)

Schotts Lane which is A Private 10' USE-IN COMMON
name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 1050 North of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street CAPE MAY RD
(name of street)

which is 50 wide. *Being Lot # 1
(number of feet of right-of-way width)

Block _____, Section # _____ in the subdivision of Niemyer Property
(name of subdivision)

as recorded in Baltimore County Plat Book # 70 87, Folio # 357.

containing 1.75 acres Also known as 400 ~~411~~ Schotts Lane
(square feet or acres) (property address)

and located in the 15 Election District, 5 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E.87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

~~374~~ 399

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-404

District 1508

Posted for: Special Homeing & Variance

Date of Posting

4/29/96

Petitioner: Jeffrey W. Nisonger

Location of property: 400 Seabrooks Rd, NE

Location of Signs: Facing road & Hwy on property being zoned

Remarks:

Posted by

[Signature]

Signature

Number of Signs: 1

Date of return:

4/29/96 5/3/96

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NOTICE OF HEARINGS

The County Commission will hold a public hearing on the following proposed zoning ordinance amendments at the County Office Building, 1000 N. of

Case #96-404-SPM (Item 339)
401 Schatts Road
WFS Schatts Lane, 1000 N. of
of Cove May Road
1501 Eastern District
5th Courthouse
Legal (Item 3)
Jury W. Hearing
Special Hearing to approve
a non-conforming use for a
boat yard accessory to a resi-
dence. Variance to allow 15
boats to be stored on the yard
in lot of the maximum al-
lowed 6 boats.
Hearing Tuesday, May 21,
1996 at 2:00 p.m. in Box 118,
City Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible for
Special accommodations
Please Call 887-3333.
(2) For information concern-
ing the Fee and/or Hearing,
Please Call 887-3331.

54023

May 2 04:55:55

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/2, 19 96

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/2, 19 96.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

U. H. Erickson

RECEIVED
MAY 2 1996

BALTIMORE COUNTY, MARYLAND
OFFICE OF INCOME - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No

96-404-SPHA

DATE 11-15-96 ACCOUNT P-004

AMOUNT \$ 135.00

RECEIVED FROM: NIE MYER

ITEM # 174 399

FOR: 135 Taken by 10

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00600W0068MTCRC
BA 0012010000-15-02

1155.00

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 329
274 Petitioner: Jeffrey W. Niemyer
Location: 400 Schott's Rd. Balt. MD. 21221

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JEFF NIEMYER
ADDRESS: 414 SCHOTTS LANE
BALT. MD. 21221
PHONE NUMBER: 410- 686-2587



TO: PUTUXENT PUBLISHING COMPANY
May 2, 1996 Issue - Jeffersonian

Please forward billing to:

Jeff Niemyer
414 Schotts Lane
Baltimore, MD 21221
686-2587

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-404-SPHA (Item 399)
400 Schotts Road
N/S Schotts Lane, 1050' N of c/l Cape May Road
15th Election District - 5th Councilmanic
Legal Owner(s): Jeffrey W. Niemyer

Special Hearing to approve a non-conforming use for a boat yard accessory to a residence.
Variance to allow a 15 boats to be stored on the yard in lieu of the maximum allowed 6 boats.

HEARING: TUESDAY, MAY 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 25, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-404-SPHA (Item 399)
400 Schotts Road
N/S Schotts Lane, 1050' N of c/1 Cape May Road
15th Election District - 5th Councilmanic
Legal Owner(s): Jeffrey W. Niemyer

Special Hearing to approve a non-conforming use for a boat yard accessory to a residence.
Variance to allow a 15 boats to be stored on the yard in lieu of the maximum allowed 6 boats.

HEARING: TUESDAY, MAY 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Jeffrey W. Niemyer

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 15, 1996

Mr. Jeffery W. Niemyer
400 Schotts Lane
Baltimore, MD 21221

RE: Item No.: 399
Case No.: 96-404-SPHA
Petitioner: Jeffery Niemyer

Dear Mr. Niemyer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date. May 6, 1996

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for May 6, 1996
Item Nos. 399, 401, 402, 405, 406, 408

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/30/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: JEFFERY W. NIEMYER

Location: N/S SCHOTT'S LA. 1050' N OF CENTRLINE CAPE MAY RD. (400 SCHOTT'S RD)

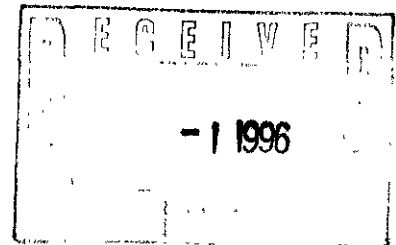
Item No.: 399

Zoning Agenda: SPECIAL HEARING/VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: May 1, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 399, 400, 406, 407, 408 and 409.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kern

PK/JL:lw

Kodak *ds*
digital science™

DEMO

ZAC399/PZONE/ZAC1

MICROFILMED



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

4-30-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 399 (JRF)



Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,



Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

MICROFILMED

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 5-15-96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: 4-29-96

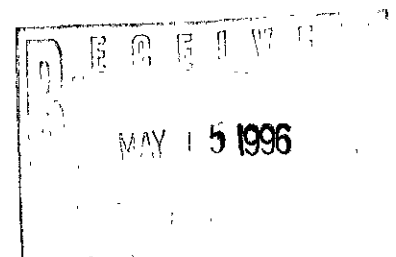
The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

(399), 400, 406, 409

RBS:sp

BRUCE2/DEPRM/TXTSBP



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PETITIONER(S) EXHIBIT ()

PETITION FOR VARIANCE
BCZR SEC. ~~415A.2~~ ~~415A.3~~ 415A.3.A

To allow 15 boats to be stored on the yard
in lieu of the ~~allowed maximum~~ ³ boats.
maximum allowed

PETITION FOR SPECIAL HEARING

To approve a non-conforming use for
a boat yard accessory to a residence.

Item # 399

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 15, 1996

Mr. Jeffrey W. Niemyer
400 Schotts Lane
Baltimore, MD 21221

RE: Zoning Petition Item Number
400 Schotts Lane
15th Election District

Dear Mr. Niemyer:

This letter is being written concerning the Petition for Variance and Petition for Special Hearing, which you filed in the zoning office on April 15, 1996 with Jun Fernando. Due to unforeseen circumstances, the item number for your variance filing needs to be changed. The item number that you were given during the filing appointment, and which appears on your receipt, is item #374. **The new item number given to your petition filing is item #399.**

If you need further information or have any questions, please do not hesitate to contact Jun Fernando at (410) 887-3391.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:SCJ:scj

c: Jun R. Fernando

MICROFILMED





Code

Enforcement

Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Larry E. Schmidt
Zoning Commissioner

DATE: April 26, 1996

FROM: James H. Thompson - RM
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 399
PETITIONER: Jeffrey W. Niemyer

VIOLATION CASE NO.: C-96-2757

LOCATION OF VIOLATION: 400 Schotts Road
Baltimore, Maryland 21221
15th Election District

DEFENDANTS: Jeffrey W. Niemyer
400 Schotts Road
Baltimore, Maryland 21221

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/RM/hek

MICROFILMED

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
400 Schotts Road, N/S Schotts Road, 1050'	*	ZONING COMMISSIONER
N of c/l Cape May Road, 15th Election		
District, 5th Councilmanic	*	OF BALTIMORE COUNTY
Jeffrey W. Niemyer	*	CASE NO. 96-404-SPHA
Petitioner		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Jeffrey W. Niemyer, 400 Schotts Lane, Baltimore, MD 21221, Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
JEFFREY W. NIEMYER
ELIZABETH J. NIEMYER
BUCK JONES

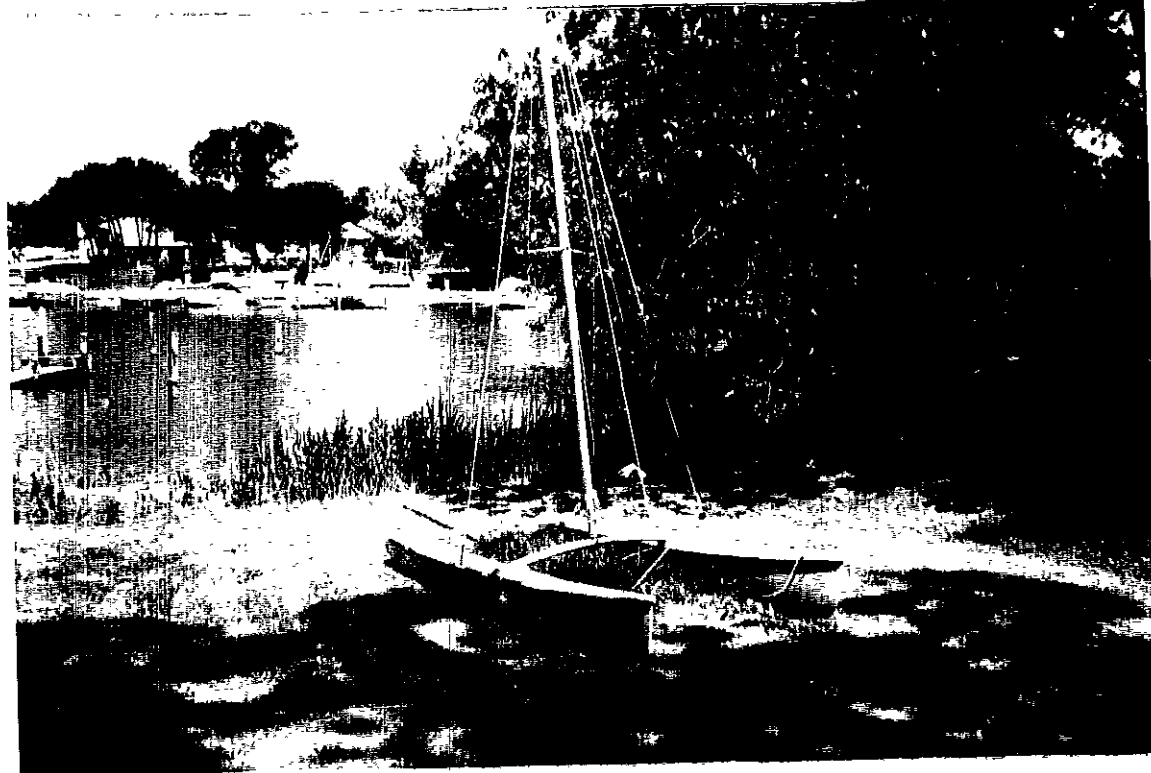
ADDRESS
400 SCHOTT'S RD.
410 SCHOTT'S RD.
500 VOGTS LAKE



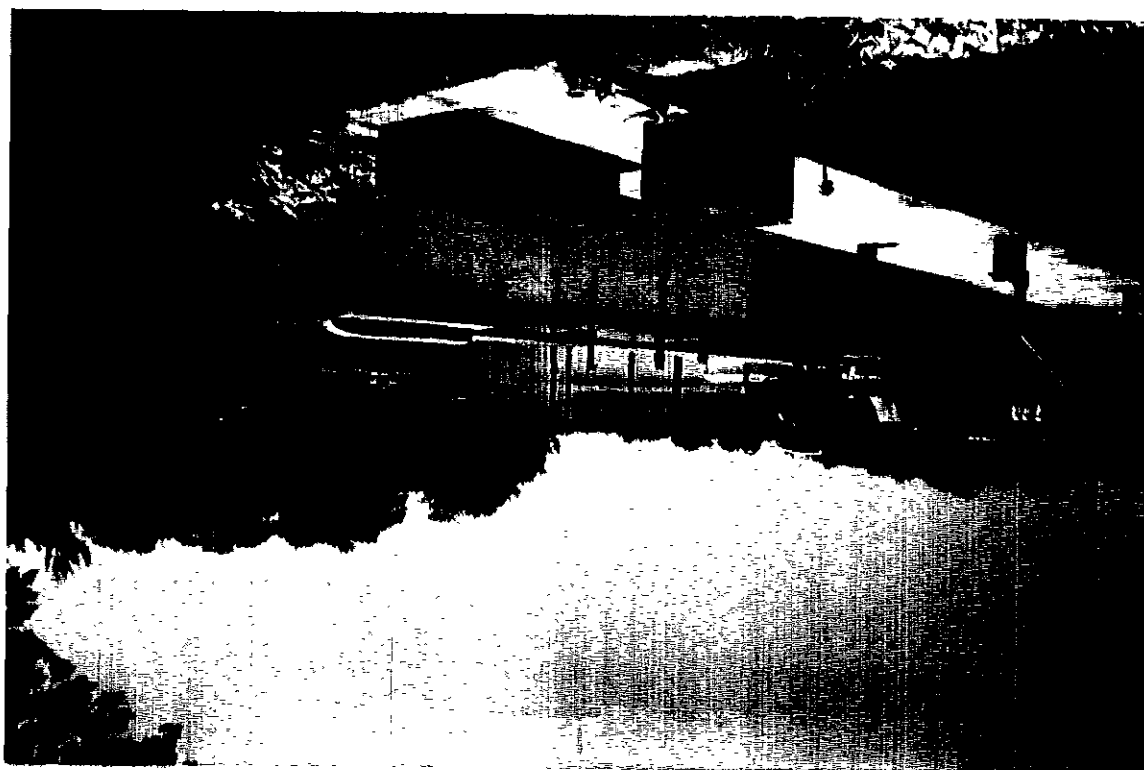
photographs
in
Case
96-404-5PHA

MICROFILMED









by special exception, by attempting to obtain a nonconforming use designation. A nonconforming use is defined in Section 101 of the B.C.Z.R. and regulated within Section 104 of the regulations. A nonconforming use designation is generally applicable to those uses which pre-date the effective date of the regulations which prohibit the use. In essence, the nonconforming use designation is utilized to grandfather an otherwise illegal use.

Other than the general testimony offered by Mr. Niemyer that his father stored boats on the property, there was no substantive or credible testimony to establish a nonconforming use in this case. Clearly, the property has been subdivided recently; specifically, the sale of Lot 2 to Mr. Jones, and the construction of a dwelling thereon. It is unclear what portion of the property was previously used for boat storage, if any. For these reasons, I must conclude that a nonconforming use does not exist on the site, and that the Petition for Special Hearing must be denied. In that the Petition for Special Hearing is denied, the Petition for Variance must be denied as well.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be denied.

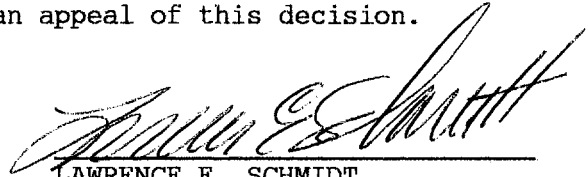
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of July, 1996 that the Petition for Special Hearing seeking approval of a boat yard accessory to a residence as a nonconforming use, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 415.A.3.A of the Baltimore County Zoning Regulations

ORDER RECEIVED FOR FILING
Date 7/17/96
By [Signature]

(B.C.Z.R.) to permit 15 boats to be stored in the yard in lieu of the maximum allowed 3 boats, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioner shall have thirty (30) days from the date of this Order to file an appeal of this decision.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Testimony and evidence offered revealed that the subject property was part of a larger tract of land which was recently subdivided. The property is an irregular shaped lot located between Vogts Lane and Schotts Lane in eastern Baltimore County, with frontage on Norman Creek, a tributary of the Middle River. Lot 1, which is the subject of this request,

This matter is under consideration by this Zoning Commissioner on two Petitions. The first seeks a variance from Section 415.A.3.A, which allows as a matter of right, out of water boat storage on residential waterfront lots. For lots with a dimension of over 75-feet at the water-side lot line, a maximum of 3 boats, or 2 boats and 1 recreational vehicle can be stored on the property. The Petitioner seeks a variance from this

- 2 -

In this case, the Petitioner has failed in satisfying his burden of proof. No competent testimony was offered to support that this property is unique or that such a wide deviation from the standard is justified. To the contrary, Mr. Niemeyer's credibility and testimony is questionable. Specifically, I conducted a site visit to the property on July 16, 1996. On this date, which is during the height of the season, I observed approximately 8 boats being stored on the property, four times the number which the Petitioner testified are usually present during the summer months. Moreover, a number of buildings were on the property, none of which were shown on the site plan. Turning to the Petition for Special Hearing, relief is requested to approve the boat yard as a nonconforming use accessory to the residence located on the property. The property is zoned D.R. 3.5 and under that zoning classification, a boat yard is permitted by special exception, only. The Petitioner wishes to bypass obtaining relief

2

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 415.A.3.A of the Baltimore County Zoning Regulations

LES:bjs

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

(410) 887-4386

File

52

~~374~~ 390

REVIEWED BY: [Signature] DATE 4/15/96

~~374~~ 399

EXAMPLE 3 -- Zoning Description

3 COPIES

These copies of the zoning description of your property are required. This is a sample to help you with the description. DO NOT USE THIS FORM FOR "FILL-IN THE BLANK" type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 400 Schotts Lane
(address)

Beginning at a point on the North side of
(north, south, east or west)

Schotts Lane which is A Private 10' USE-IN COMMON
(name of street on which property fronts)

wide at the distance of 1050 (number of feet) North of the
(north, south, east or west)

centerline of the nearest improved intersecting street CAPE MAY RD
(name of street)

which is 50 wide. "Being Lot # 1"
(number of feet of right-of-way width)

Block Section # in the subdivision of Niemyer Property
(name of subdivision)

as recorded in Baltimore County Plat Book # 7087, Folio # 357

containing 1.75 acres Also known as 400 Schotts Lane
(square feet or acres) (property address)

and located in the 15 Election District, 5 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber Folio and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N 87° 12' 13" E 321.1 ft. S 18° 27' 03" E 87.2 ft. S 62° 19' 00" W 318 ft. and N 08° 15' 22" W 80 ft. to the place of beginning.

399

9

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 4/26/96

Posted for: Jeffrey W. Niemyer

Petitioner: Jeffrey W. Niemyer

Location of property: 400 Schotts Lane, MD

Location of Sign: 100 Schotts Lane, MD

Remarks:

Posted by: Jeffrey W. Niemyer Date of return: 4/26/96

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 5/2 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/2 1996.

THE JEFFERSONIAN,
U. H. HENNINGSON
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed identified land in Room 106 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204, on Tuesday, May 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
Case No. 96-404-SPHA (Item 399)
400 Schotts Lane, 1050' N of c/l Cape May Road, 15th Election District - 5th Councilmanic District
Legal Owner(s): Jeffrey W. Niemyer
Special Hearing to approve a non-conforming use for a boat yard accessory to a residence.
Variance to allow a 15 boats to be stored on the yard in lieu of the maximum allowed 6 boats.
Hearing: Tuesday, May 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3351.
(2) For information concerning the file and/or hearing, please call 887-3391.
5/23 May 23/96

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 4-26-96 ACCOUNT

AMOUNT \$ 150.00

RECEIVED FROM: JEFFREY W. NIEMYER

FOR:

VALIDATION OR SIGNATURE OF CASHIER
CASHIER: PAY-AGENCY: YELLOW-CUSTOMER

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come first and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

FOR ADVERTISING:

The Petitioner: Jeffrey W. Niemyer
Case No. 96-404-SPHA B/L MD 5/2/96

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JEFF NIEMYER
ADDRESS: 414 SCHOTTIS LANE
BALT. MD 21221
PHONE NUMBER: 410-684-2587

12

TO: PUTNEY PUBLISHING COMPANY
May 2, 1996 Issue - Jeffersonian

Please forward billing to:

Jeff Niemyer
414 Schotts Lane
Baltimore, MD 21221
886-2587

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-404-SPHA (Item 399)
400 Schotts Lane
N/S Schotts Lane, 1050' N of c/l Cape May Road
15th Election District - 5th Councilmanic District
Legal Owner(s): Jeffrey W. Niemyer

Special Hearing to approve a non-conforming use for a boat yard accessory to a residence.
Variance to allow a 15 boats to be stored on the yard in lieu of the maximum allowed 6 boats.

HEARING: TUESDAY, MAY 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3351.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 25, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-404-SPHA (Item 399)
400 Schotts Lane
N/S Schotts Lane, 1050' N of c/l Cape May Road
15th Election District - 5th Councilmanic District
Legal Owner(s): Jeffrey W. Niemyer

Special Hearing to approve a non-conforming use for a boat yard accessory to a residence.
Variance to allow a 15 boats to be stored on the yard in lieu of the maximum allowed 6 boats.

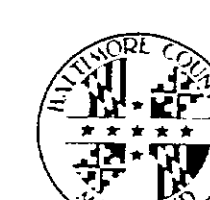
HEARING: TUESDAY, MAY 21, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Jeffrey W. Niemyer

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3351.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 15, 1996

Mr. Jeffery W. Niemyer
400 Schotts Lane
Baltimore, MD 21221

RE: Item No.: 399
Case No.: 96-404-SPHA
Petitioner: Jeffrey Niemyer

Dear Mr. Niemyer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 5, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for May 5, 1996
Item Nos. 399, 401, 402, 405, 406, 408

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

DWR:HCL:jrb

cc: 1118

70269

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/30/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: JEFFERY W. NIEMMYER
Location: N/S SCHOTTIS LA. 1050' N OF CENTRLINE CAPE MAY RD. (400 SCHOTTIS RD)

Item No.: 399 Zoning Agenda: SPECIAL HEARING/VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

- 1 1996

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4681, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: May 1, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 399, 400, 406, 407, 408 and 409.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Division Chief:

PK/JL:lw

ZAC399/PZONE/ZAC1



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kussuff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 399 (JRE)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2288 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 5-5-96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: 4-24-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 399, 400, 406, 407, 408

RBS:sp

BRUCE2/DEPRM/XTTSBP

1996

PETITIONER(S) EXHIBIT ()

PETITION FOR VARIANCE

BC32 SEC. 415A.3 A

To allow 15 boats to be stored on the yard
in lieu of the allowed maximum 3 boats.
maximum allowed

PETITION FOR SPECIAL HEARING

To approve a non-conforming use for
a boat yard accessory to a residence.

Item # 399



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 15, 1996

Mr. Jeffrey W. Niemyer
400 Schotts Lane
Baltimore, MD 21221

RE: Zoning Petition Item Number
400 Schotts Lane
15th Election District

Dear Mr. Niemyer:

This letter is being written concerning the Petition for Variance and Petition for Special Hearing, which you filed in the zoning office on April 15, 1996 with Jun Fernando. Due to unforeseen circumstances, the item number for your variance filing needs to be changed. The item number that you were given during the filing appointment, and which appears on your receipt, is item #374. The new item number given to your petition filing is item #399.

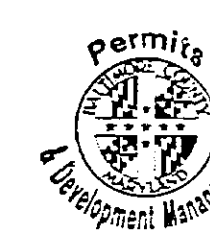
If you need further information or have any questions, please do not hesitate to contact Jun Fernando at (410) 887-3391.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:SCJ:scj

c: Jun R. Fernando



Code
Enforcement

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Larry E. Schmidt
Zoning Commissioner

DATE: April 26, 1996

FROM: James H. Thompson - RM
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 399
PETITIONER: Jeffrey W. Niemyer

VIOLATION CASE NO.: C-96-2757

LOCATION OF VIOLATION: 400 Schotts Road
Baltimore, Maryland 21221
15th Election District

DEFENDANTS: Jeffrey W. Niemyer
400 Schotts Road
Baltimore, Maryland 21221

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME ADDRESS

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/RM/hak

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
400 Schotts Road, N/S Schotts Road, 1050'
N of c/i Cape May Road, 15th Election
District, 5th Councilmanic
Jeffrey W. Niemyer
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-404-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
CAPT. S. SCHMIDT
Deputy People's Counsel
Room 41, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2185

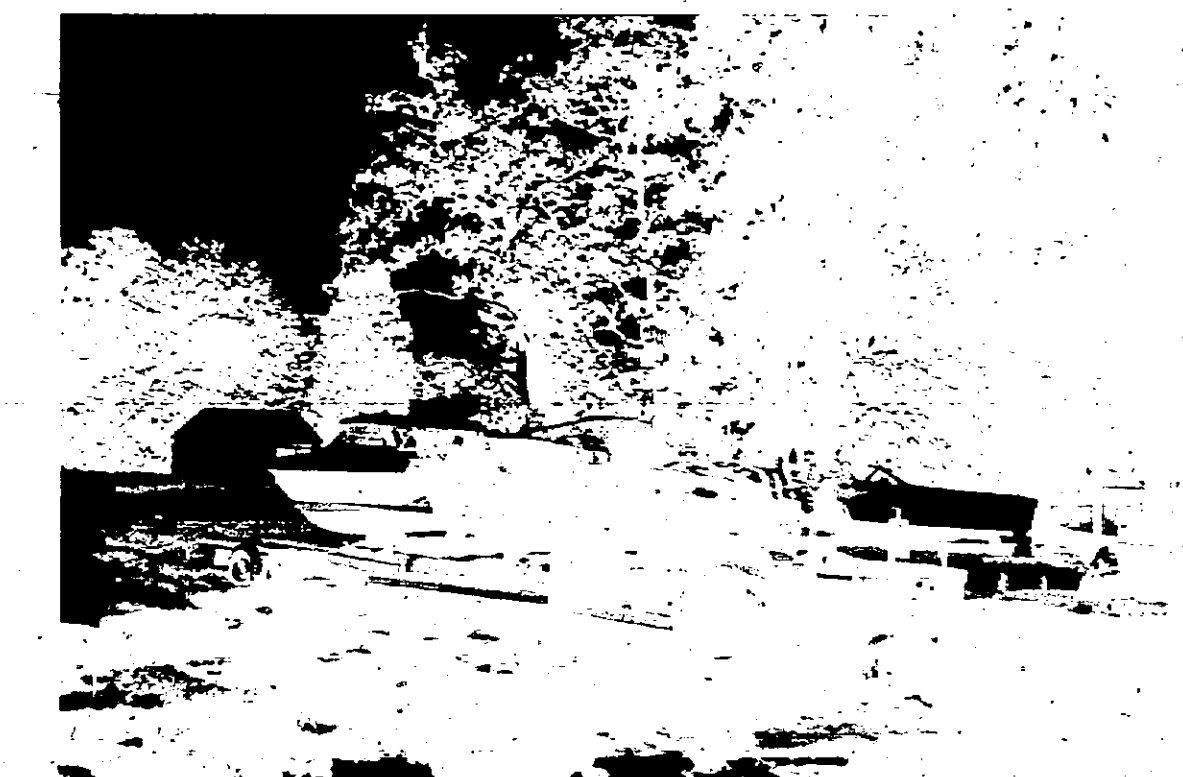
CERTIFICATE OF SERVICE

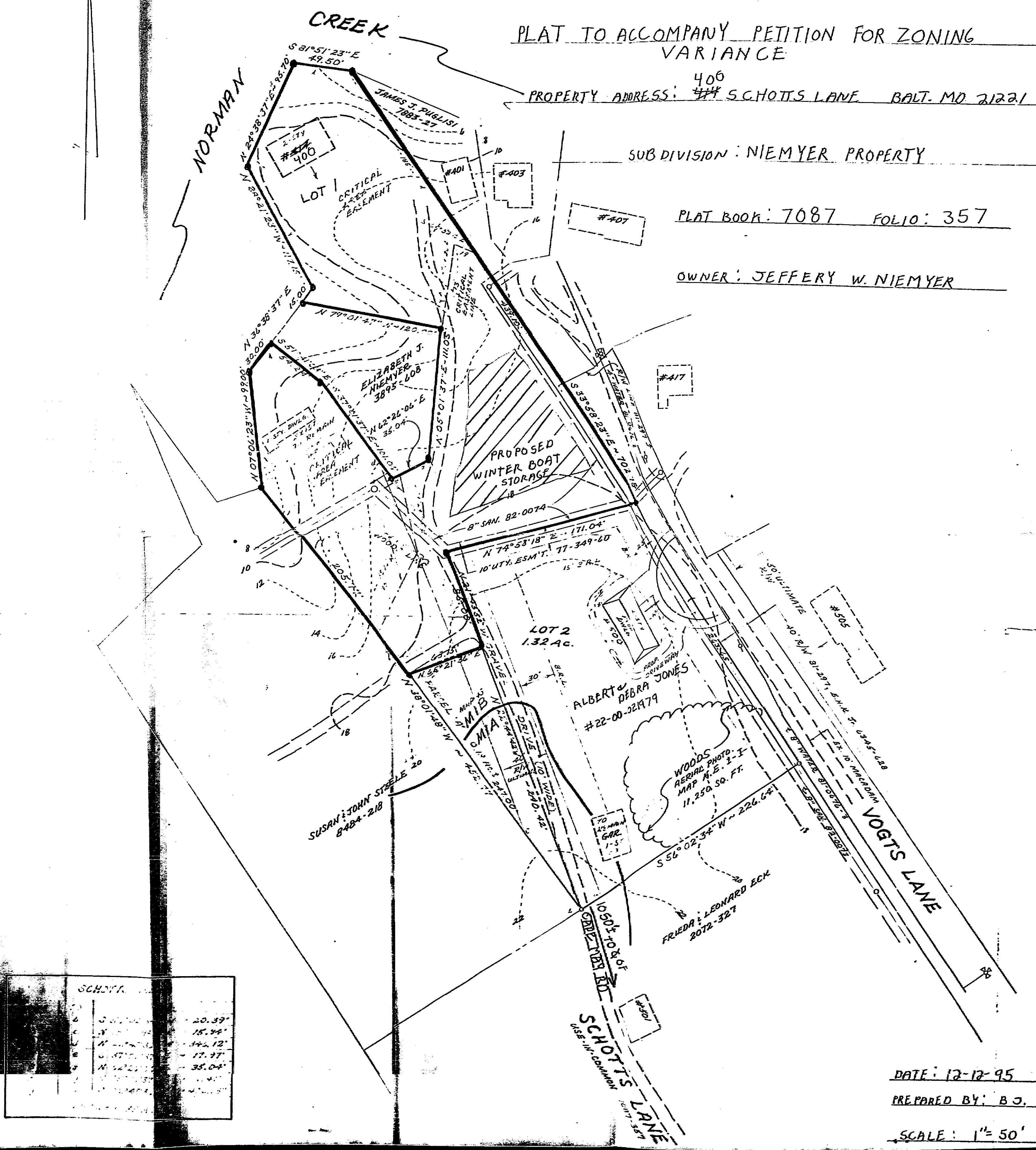
I HEREBY CERTIFY that on this day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Jeffrey W. Niemyer, 400 Schotts Lane, Baltimore, MD 21221, Petitioner.

PETER MAX ZIMMERMAN
PETER MAX ZIMMERMAN

NAME	ADDRESS
JEFFREY W. NIEMI	400 S. 11th St
ELIZABETH J. NIEMI	410 Schott's Rd
BUCK JONES	500 VOGTS LANE

photographs
in
case
No. 464-SPA





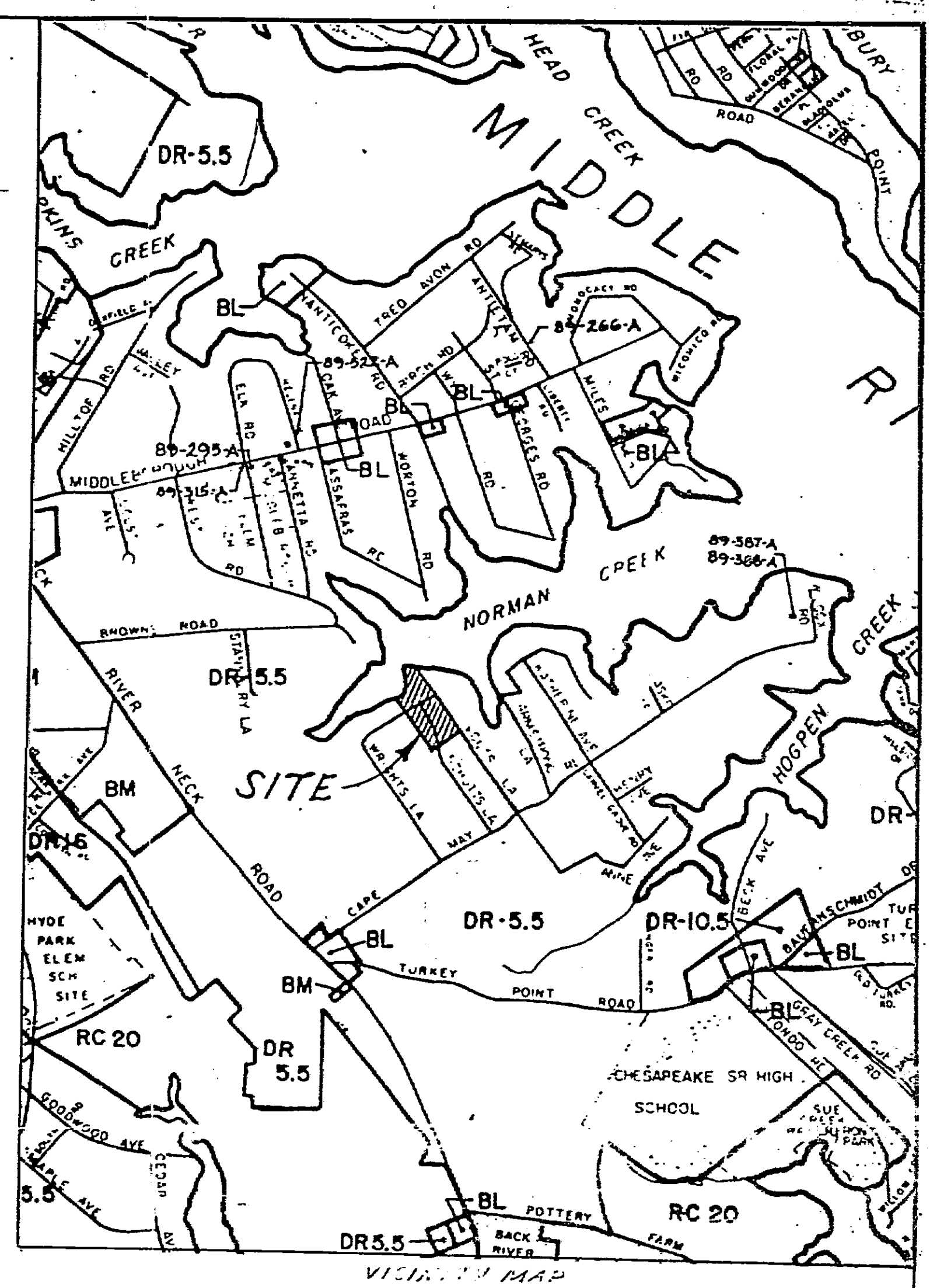
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS: 400 SCHOTT'S LANE BALT. MD 21221

SUB DIVISION: NIEMYER PROPERTY

PLAT BOOK: 7087 FOLIO: 357

OWNER: JEFFERY W. NIEMYER



LOCATION INFORMATION

COUNCILMANIC DISTRICT: 5

ELECTION DISTRICT: 15

1"=200' SCALE MAP #: NEI-1

ZONING: DR-5.5

LOT SIZE 1.75 ACRES 76,230 SQUARE FEET

SEWER: PUBLIC

WATER: PUBLIC

ENTIRE SITE IS WITHIN THE CRITICAL BAY AREA

PRIOR ZONING HEARINGS:

ZONING OFFICE USE ONLY

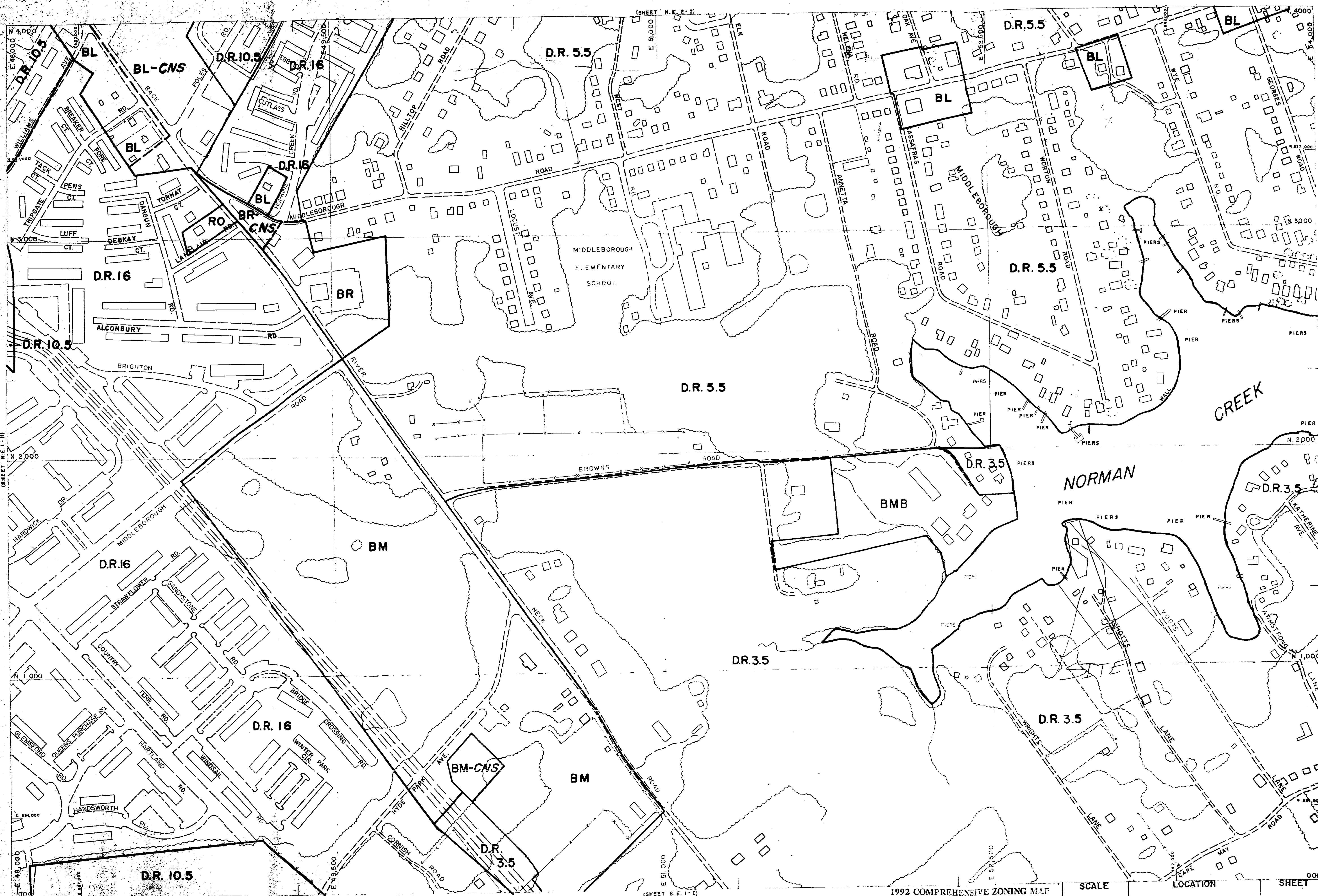
REVIEWED BY	ITEM #	CASE #
JF	379	

DATE: 12-12-95

PREPARED BY: B.J.

SCALE: 1"=50'

96-404-584A



1 - SE
E - NE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC., BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

William A. Howard
Chairman, County Council

SCALE

1" = 200' ±

DATE

OF

PHOTOGRAPHY

JANUARY

1986

LOCATION

BACK RIVER

NECK

SHEET

N E

1-1

374
379

96-404-SPHA
96-404-2644